L. R

(1891-92)

44 of 91

14 C

Sub:- Appeal of Shanmuga Reddy s/o
Patel of Hallasandra Tumkur
Taluk praying for his
Registration as the Patel
office of the said village -

RR 16 92

G. R. S. IX-5]

Previous references. 1891-92.

192 .

(A. R.)

File No 114-92

Serial Nos.

Later references.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1

In ~~Part~~ B for March 1893.

SUBJECT.

Appeal of Shamanna, Vg Sirsidar Patel of Hallisandra, Tumkur Taluk, praying for his restoration to the Patelki Office of the said Village

Continued

given to Mr Dowd
at the rate of 2 or
3 petitions at a time
during the past fort-
night.

Gunnuntah
is now on a few days'
leave. He has to
return to duty by the
18th inst.

Mr. David is the
only English knowing
hand attending to—

(1) Preparation of
Abstracts of Returns
to be submitted
to Councillors
& to the Chief
Secy.

(2) Do: English
Drafts

(3) Comparing fair
Copies &

(4) Preparing Abstracts of decisions for the Monthly Prof: Book.

Mr. David is under a disadvantage because he does not know how to read Kannarese and somebody has to read Kannarese papers to him.

Submitted to the Council

14/4/92

Read.

The duty over comes to here seeing as separate translation for translation work — Date 14/4/92

It is impossible for me (Clerk) to do all the work entailed about — The names the dates, petns. are req[uire]d for each the letter — The petn branch regards

Submitted to Circuit Court 14/4

chargeman — The Central Govt. return we will talk on the matter & come to a settlement — And then I shall put up the Chief Secy will kindly consider what has to be done further in this connection 14/4/92 GH

1

Submitted to the Council

=

Memo.

re. Petition No: 4256 from Shamsuddin Patel of Malla Saund

Query.

Why delay of nearly a month in submitting the Petn.

Chief Secy's order on Petn is dated 16.3.92.

Petn dated 15.3.92

Recd. in the Petn Dept. on 16.3.9

Order passed for preparing Abstract on 16.3.9

Given for Abstract to Mr Davis about the 19.3.92.

Mr Davis says that he

Must have
returned the
Petn with
Abstract about the 8th ~~August~~ April 92

N

The Pro: Attn:
rec'd the abstract on 9th 50

It was revised
by him & sub-
mitted on — 11. 50

How many petitions
received in Office
are now pending
orders. ?

7: Petitions ready
with Abstracts:
They will be submitted
after being revised.

29: Petn with
Mr. Davis —
Abstracts to be
prepared.

Of these 22 petitions
12 are old ones
which surrenders
had for putting
up Refs - They were

5.

Appeal No. 99 of 1891-92

Appellant - Shamanna,

Petitioner & Malla

Sandra,

Lumbini Taluq

Precis

Petition

Petition for Review in this

Case

Sentence

Date 8/8/86

7.7.86

15.9.86

24-11-86

26.11.86

Dt 8th August 886

Pet by Commissioner

Lumbini Dt, on receiving

the calendar containing the

conviction of the Patel

Shamanna of the Malla

Sandra village under

S. 352 I.P.C, considered

him unfit to continue

in office and directed his

dismissal.

One Talwar Ranger

Complainant to the Dy Comm

that the Patel Shamanna

was a bad character

& as he had been

convicted, removed from Office

he should not be re-instated

This was referred to the

Case for report

Patel Shamanna petitions

the Dy. Comm. praying

for re-in-statement

On Petn with the Dy Comm

endorsed order of the

Amildar asking him

Enquire & report on

the character of the

petitioner -

The Amicus carrying out the order of dismissal expressed that the Petit had no heir & recommended the Libra- -tion of Petitioner's Estate for the post.

(attached to the)

The Dy. Comm in writing 12-12-86.
expressed his satisfaction of 26.11.86

The pet. against petition 5.5.87
the Dy. Comm for re-in-
statement and agt the D.C.
Again repeated his order
of 26.11.86 & the Asst. Engr
into the character of
the Petitioner.

The petitioner made a state- 16.5.87
-ment before the Amicus
that all his Ancestral
Estate had been mortgaged
& that he received only
Rs. 30/- as rent
& a bond

The Amicus visited 17.11.87
the Dy Comm. & the
Assistant reading Despatch
& certain re character
of the Petitioner, that he (Petr.)
had lost all his interest
and had been dancing &
the rest in the house &
at Trankies one by one;
& nothing defensive had

the Amicus noted
in Petitioner's character
had not the pet.

In ascertaining
which

2 7

it was necessary to try him by re-employ-
-ment; that it was not safe to do it without
proper security, as the
village was a big one
and it was the collection
season.

25.4.88 The Pr. Comm. enquired
what the Sch. himself had
to say on the matter.

26.4.89. The Sch. produced the
Collector's order
as surety till 31st 1889
& promised to pay the
required security of Rs 200
in December.

12.5.89 The Inspector submitted
the Sch's & recommended
the appointment as trial
till December 89.

22.5.89 The Pr. Comm. approved.

16.8.89. The Sch. obtained the
Dy Comm. stating that he
would pay the security money
within 6 months from the
date of his re-employ-
ment & prayed for order
for re-installment allowing
the personal security
produced.

Mr Cuss.

24.8.89 The Dy Comm. ordered
that Rs 200 or other security
should be produced within
Sept. & that otherwise
orders could not be given
for his entry ~~into service~~ in his service.

The

8

The Amildar reported that Shamanna produced Rs 50 & promised to pay the remaining Rs 50 within 2 months & prayed that he may be allowed to enter on the duties; recommended accordingly. 28-9-89

The Dy. Comm. ordered 5-10-89.

The Amildar reported that Shamanna has been doing all the duties both Collection & that the balance of 50 had not been produced up to that time & reported by him 4-4-90.

The Dy. Comm. Mr. Lushington 6-4-90.
Varadappa in reply states that Shamanna has both in incurring & depositing Rs 200 under Government deposit & stated that if this was done he would be called out.

Shamanna petitioned the 7-4-91
Amildar that under the circumstances he was unable in the said produce neither the personal nor money security, that he requested back his Rs 200 already deposited, that he should be allowed to do all the duties or he be allowed to enter on the duties after he could produced Rs 200. That if meeting could be done his security money should be returned to him

Mr

31

8.4.91 The Arachchi reported the matter to the A.G.A. and requested sanction for returning Rs 100 to Thamotharam & for appointing a guard to the Thamotharam should they Rs 200.

13.4.91 The A.G.A. Colombo - in reply sanctioned the return of the money & requested the report of the Mudaliyar the competent Magistrate

21.1.92 - Thamotharam produced the daughter Sothalingam before the Arachchi & prayed that he might be accepted as security & the appointment cancelled in him (Thamotharam)

23.1.92 - The Arachchi recommended accordingly.

28.1.92 - The A.G.A. Colombo passed the following Order.

The Patti Thamotharam was dismissed by the D.J. Comm. Mr Kirchhammer & the Patti was convicted of the offence of Assault. There was no room for interference with such order in this Office. Mr Cross however entertained his appeal & ordered that the appointment could be restored to him if Personal security was produced

within

Petition dépôt par Me [illegible]
pour dire droit. Les mêmes
pétitions cannot therefore
not be entertained and
order passed contrary
to those of the Petitioners.
Comm.

On dit le Petit Romana
appears not.

S/Ch
14/11/92

Precis

Appeal No. 199 of 89-90

Appellant — Shanmu
Late Patel of
Mallasandra
Tumkur Taluq

Recd.

On 18th Augt. 1886 the
Krishnamurti the Dy. Commissioner, dis-
missed the appellant
as he was convicted
and fined Rs 8 under
S. 352 I.P.C. The appellant
petitioned the Dy. Comm.
praying for re-instate-
ment. Thereupon the
Dy. Comm. enquired
into the character of the
man and the Amildar
reported that he could
be re-employed on bail
should a proper security
personal or pecuniary
(Rs 200) be produced by
him.

5.10.89 2. For this the next Dy.
Comm. appointed of the
the appellant was put on
his

his duties on his declaring a portion of the security money as Rs 50. This sum was subsequently supplemented by another Rs 50.

3. In April 1890, the Comptroller reported that the appellant had not till then deposited the balance of the security money.

4 In April 1891 the appellant petitioned that he was not able to produce either the personal or money security, that he wanted back his Rs 100 in deposit, that he should be allowed to do the duties unconditionally, or be allowed to enter on his duties whenever he should be able to deposit Rs 200.

5 The Secretary of State directed the return of the amount with a remark that on the face of removal from office on

Conviction,

conviction for assault, there was no room for entertaining the appellant's petition; but ~~Govt~~ (1) Govt. also directed his re-employment on security being executed within a fixed time, and as this condition too was not fulfilled, nothing could be done in favor of the appellant.

The appeal is against this order dated 28.1.92.

The appellant contends:-

(a) That he did not commit so serious an offence as to lose his hereditary appointment, the offence being only of simple assault.

(b) That the Kishnamurthi did not reluctantly dismiss him, as he was allowed by law. Govt. to perform the duties.

(c) That he performed the duties satisfactorily.

The points in issue are ~~1~~ whether the office

Committed

Committed was issued to
as to their Petitioners' dismissal from the office
of Patel.

I Write: Pet. was found
to furnish the security required.

18.11.92.

Subd 4.3.93

Filed

Subd

The Dy Commr reports as follows:—

From 1886 to 1889 - Ramanna Shanbhag of the village, acted also as Patel.

" 1890 to April 1891 - Application filed to the duties of Patel, but Govt having restored him to office on condition of his giving security. He was therefore again in April 1891 called to furnish full security

" 1891 to Dec 1892 - The remaining two years in charge of Patel for after-wards

Feb 1893 - - Ramanna, also is now in office was appointed.

18/4/93

Govt order to
Appl. & Ramanna

18/4/93

Submitted to 21st Feb 1893

Pr No 199 of 1891-92

Appt

Semanna

~~Petit~~ of
Malacca-dru
Iruttur Dolug
~~Depositions key~~

Respt

Dempawa

Represented by
Mr C. Sabbatai Esqr
~~Advocate~~ Proctor S.C.

In August 1886, Appt who was Patael was dismissed on the ground that he was found guilty of an assault on a private individual & fined Rs 8. In Oct 1889, he was restored to office on the cancellation of his ~~[illegible]~~ furnishing the security, personal or pecuniary for Rs 200— Petitioner deposited Rs 100, but having failed to ~~pay~~ furnish security for the remaining amount was removed from office in January 1892.— Respt — a stranger — was appointed in his place in Feby 1892— The appeal is against his removal.—

~~Appt's~~ ~~counsel~~

Appt's counsel that ~~the~~ security

#16

from th. Appl is uncalled for & H. Dr Cons
who accordingly has requested to restore
him to office. — H Respts advocate
pleaded, that there is virtually an appeal
on the order issued in 1889 & that it
is now too late to admit the appeal —
But the Govt regard this as an appeal
against H Dr Cons order of 1892 —
Till then he was indeed in office
& it was open to him to ask Govt to
be restored of the decency at any time. —

2/10/93

ecd

Hon. H Dr Cons Ties
has requested to restore
for to office

15 LR 144-91-1

(General Serial No. 32.)

189 .

No.	205
Name of Petitioner.	Ramanna Registered Patel of
Village.	Mallasandra
Taluk.	Tumkur
District.	Do
Date of Arzi.	15.2.92
Date of Receipt.	1.3.92
Date of Disposal.	
No. of Enclosures.	Six.

(1) Stamps Correct

(2) Appeal in time

(3) Fresh: produced

(4) Rule I, Cl: (1) of the Addl Rules

Submitted to the Council.

M 11/4/92

M 11/4/92

29.2.92 M 11/4/92

M 11/4/92

ABSTRACT.

Ramanna, Shanbogue, Mallasandra, was ~~also~~ a ... to of late. Ramanna's ... Shivappa, having on ... instituted proceedings ... was removed from ... of Lingaiti, and, Ramanna ... fined Rs 50 for ... a palm tree standing on ... land. Ramanna, etc ... claimed against the ... had a grudge against ...

2. After investigation ... Talavar, Range ... 10 ...

Memo submitted by Petitioner

[illegible] against [illegible]
[illegible] [illegible]
[illegible] Court in [illegible]
enquiry, [illegible]
Subsequently, [illegible]
said by the Court and
that as per [illegible]
did not [illegible]

[illegible] by Counsel
subject, [illegible]
at last, received the
[illegible] that in reference
to the petition of [illegible]
A. Cy the Govt 7 Sept 89
A. to say, as per [illegible]
with [illegible]
[illegible]
[illegible] to
[illegible]
[illegible]
time, the appointment
not be given to him. [illegible]
by Counsel
presented that he could
depart to India ancient
the said [illegible]
four
[illegible] of [illegible]
[illegible] 15-2-89
to which [illegible]
[illegible]
[illegible]

within the time fixed. But that order was not served out, as you paid the fine & security. You now again pray for the appointment. The Ag. Commissioner cannot be retained.

In Estate of Joseph Ezra Peirce, deceased. Petition for Endorsement.

Being the duties of his office

A. Peirce executrix

petitions to deposit in Salem

St. Bank, the deposit in the

Comm'r received, as trustworthy

person. The Ag. Comm'r

Mr. Peirce give Endorsement

&c. &c. &c. The effect of

Endorsement by Comm'r

order should be carried

out. After payment of

(Ex. Ezra Peirce, &c. &c. &c.

Peirce deposited by Ex. Ezra

Peirce & Endorsed by

he was obliged to take

back the deposit amount

since then he has been out

of office for nearly 2 months.

L. Pete and his security

presented themselves at the

Probate Entry, sealed,

and the Auditor received

the security and reported

the matter to the Ag. Comm'r.

Petitioner, learned counsel for the respondent, could not get a statement, as he was engaged in the Supreme Court for having committed (Petn) accused and it is requested that Revision petition be fixed in the Court.

5. On receipt of the statement Petitioner to the Commissioner received notice enclosing Circular No. 375 above referred to.

6. The Petitioner engaged his duties accordingly, he has been drawing pension Rs. 10 accounts for Circle and is in receipt of his duty a Registered Cover. In the original correspondence no mention was made of Income, and therefore the case

Charge Petitioner's duties as Clerk as stated. Circle

was sanctioned by the Income Tax Officer who issued the Petitioner with a Certificate

A. The Commissioner regrets time and is much reduced in circumstances, begs that the Commissioner the Petitioner's Pension may be restored and he be restored to his former appointment.

The Commissioner Indore 15 3.38 A.D.

The commissioner learned on the Commissioner's visit to Mhow on 9th instant and on your representing your case to his successor Mr. Dress, Asst Officer ordered your restoration to office, provided you give proper security

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
REG'D. NO. 4256
DATE 16-5-92

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
REG'D. NO.
DATE

6

7

8

21

Remand Petn

Municipal Council

Writ Petn No. 4256

Dr 144-91-2

11/4/92

(General Serial No. 32.)

189 .

No.	4439
Name of Petitioner.	Thomas Registrar, Petl of
Village.	Nallasamudra
Taluk.	Tumkur
District.	Do
Date of Arzi.	28. 3. 92
Date of Receipt.	30. 3. 92
Date of Disposal.	
No. of Enclosures.	Nil.

ABSTRACT.

Prays for early orn his appeal &c. his present circumstances are intolerable.

22

4439R

30-3-92

(1)

24 Pet
F. 109-925

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

Appln-91-3

The accompanying Petition No. 4256 and 4437 dated 27, 28th March '92 received at the Dewan's Office from Srinivasa, Rajagopalacharlu Patel of Mallasandra, Tumkur Taluk, praying for the restoration to the Patel office

are
~~is~~ forwarded, together with ~~its~~ six enclosures, to the Dy. Commr, Tumkur District, for submission of Progs. Report on the facts of the case & on the grounds taken in the petition.

2. The Petition should be returned.

By Order,

(Common Order)

BANGALORE, 1892 } for Chief Secretary.

2/5th August.

Sent to Commr 5/8/92

25. Pet F 107 of 1892

(General Serial No. 30.)

2539.

1892.

Pet 124

L: 144-91-1

From The Deputy Commissioner Lenakel.

To The Chief Secretary to the Government of Fiji, Suva

Dated 30th August 1892

Despatched

Received

Enclosures No. Nil.

General No. 273

No.

Official Memorandum No. Pet F 107 dated 5th August 1892

Submitting a report and the proceedings in the case of Limanana, Registered Native of Mallanamba village in the Lenakel District.

Pctn Br. Nov 2/9/92

K. Rees for Premier & Minister 13th Nov 10/11 92

3/9/92 Read by.

Deputy Commissioner's Office
Surat District
Dated 30th August 1892.

No 273
Confidential

To,

The Chief Secretary to the
Government of Bombay.

Sir,

With reference to your official Memorandum No. Set. 29 of the 5th instant forwarding for submission & proceedings and sanad petition from Ramanna, Registrar Patel of the Mahmudra Village in the Surat District, praying for his restoration to the Patelship office, I have the honor to state as follows-

2. In August 1886 the Deputy Assistant Commissioner and 1st class Magistrate of this District having convicted and sentenced the petitioner to a fine of 5 Rupees under section 352 of the Indian Penal Code, Mr. Vishnu Moreshwar the then Deputy Commissioner dismissed him from service. On this he petitioned this office praying for his restoration to his appointment. In August 1889 Mr. Crees ordered that the petitioner might be restored provided he paid 200 Rupees as security or produced a surety for that amount by the end of September and not later.

3. In September the Mamlatdar reported that the petitioner paid 50 Rupees and

Official

offered to pay the remaining 20 Rupees in
3 annual instalments by Rs. 7 each year
and recommended his restoration to the
office of Patili. This was sanctioned by
Mr. Crewe in October 1899.

4. On April 1900 the Amildar reported
that the petitioner failed either to produce
the amount or to produce the required
surety and prayed for permission
to withdraw the 20 Rupees he had re-
-posited stating that he might be restored
to his office whenever he would pro-
-duce the sum of 200 Rupees. On this
the Amildar was ordered to return the
amount to the petitioner and to appoint
a competent person in his stead.

5. In January 1902 the petitioner applied
to produce a surety for 200 Rupees but
Mr. Jenkins meanwhile had decided to
interfere in the matter as the petitioner
failed either to pay the amount or to
produce the surety within the time
allowed by Mr. Crewe.

6. On February 1902 the Amildar
recommended the Reinstatement of
Nathabhai as the Patili which
action was accordingly sanctioned.

7. The proceedings of the case
together with the enclosures of Memo-
-randum under reply are herewith
submitted.

J

28

C'est avec le plus grand regret, Sir, que je me trouve dans l'impossibilité de me rendre à votre invitation pour dîner aujourd'hui.

Votre très humble serviteur

Wm. Dent

Commissioner.

29

(General Serial No. 30.)

1893

Dy 1444-91-5

From

The Chief Secretary
to the Dewan of Mysore.

To

The Collr, Cuddapah Distt.

Dated 3

Despatched 10 March 93.

Received

Enclosures No.

General No. 1491?
Fer F No. 29-92

Calling for further report ~~regarding~~ in the case of Thamanna, late Patel of ~~Thamanna~~ Hadlasandra in the Cuddapah Taluk.

References to be marked.

Mysore Govt. C. Press, Bangalore.—9-1-93.—3,000.

To

The Deputy Commr,
Canara Dist.

No 8:2 273 dt 30th Aug 92,

Submitting report & papers in the case of Shamanna, Registered Patel of Mallasandra village in the Sankar Taluk.

With reference to the above has the honor to request that the D. Comr will be good enough to state as to report who is acting for Appellant Shamanna as Patel since 1886.

By Order

Draft.
(Council order)

JMM 8/3

Chief Secretary.

St.

8/3

81

(General Serial No. 30.)

1892 11712.
93.

From The Dy: Commissioner
Tumkur Dt.

Lr 144-91-6

To

The Chief Secretary to the ~~Devan~~ Govt:
of Mysore.

Dated 13th
Despatched 16th April 1893.
Received

Enclosures No. .

General No.
No. 850.

Chief Secy: Docket No: 1912/109
Govt of Mysore —.

Reports who have been acting since 1886 for appellant Channaveerappa Ex-pattel of Sanivarasanthe village, in the Tumkur Taluk —.

Petitioner
Nark
14/4

No: 350. Tumkur District

Deputy Commissioner's Office

Tumkur, 3rd April 1883.

(8)

To,

The Chief Secretary to the

Government of Mysore.

Sir,

With reference to your Secret

No: 292 of the 2nd Instno, enquiring
109

as to who has been acting since 1880

for Appellant Channamma, Ex-potél

of Bandacanalu Village in the Tum-

=kur Taluk, I have the honor to state

that from 1880 (when the Appellant

was dismissed by the Commissioner

=ty Com.r in 1880) Ramanna, the Managa

of the said Village, acted also as the

Potél thereof. In 1881 in Consequent

to the order of the Govt. directing the

Appellant to appoint on the condition

of his giving Security for the proper

discharge of his duty, the Appellant

himself did the Potél duty, until in

April

April 1891 he arranged treaty as he failed to furnish the full security ordered by Lieut. Governor. The Chaplain of the Village was again in charge of the Fort for a few months thereafter and then in Feb. 1892 one Kanyauna, a resident part of the Village, was appointed Fort Interpreter by Government and he is now in office

I have the honor to be,

Sir,

Your most obedient servant

Peter Scarborough

Deputy Commissioner

AR 144-91-7

Before the Government of *His Highness* the Maharaja of Mysore.

Appeal No. 129 of 1891—92.

Appellant. Vs. Respondent.

Samanna of
Madanadoddi
Tumkur Taluk.

Kempanna,
represented by M/s. B.
Subbaputtiya
Barrister-at-Law.

Decision.

On August 1886, the Appellant who was a Patail was dismissed on the ground that he was found guilty of an assault on a private individual and fined Rs. 8. On October 1889, he was restored to office on the condition of his furnishing security, personal or pecuniary, for Rs 200. Petitioner deposited Rs 100, but having failed to find security

Security for the remaining amount, was removed from Office in January 1892, and Respondent a Stranger was appointed in his place in February 1892. The appeal is against his removal.

2. Government Consider that Security from the Appellant is uncalled for and the Deputy Commissioner will accordingly be requested to restore him to Office. The Respondents advocate pleaded that this is virtually an appeal on the order issued in 1889, and that it is now too late to admit the appeal. But the Government regard this as an appeal against the

Deputy Commissioner's

30/ Decision ~~Reclaimed~~ on appeal
No: 193 of 1891-92. (Continued)

Deputy Commissioner's order
of 1892. Tells them he
was actually in Office,
and it was open to him
to ask Government to
be released of the Security
at any time.

By order

Redraft

M.K. 11/11/93.
for Chief Secretary

No. 7545 / 24/11/93
~~3147/92~~

Copy forwarded
to the Deputy Commissioner
Tumkur District with
the proceedings received
with his docket No: 2/3
dated 30th August 1892.

By order

M.K. 11/11/93
for Chief Secretary

SK

Press copy sent to M.K.S.
24/11 6/11.

4256
No. 199 ex.

32

LR 144-91-8

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT,

1st March 1893

Endorsement granted to Shamanna of Mallasandra

Tumkur Taluk

in reply to his Petition Registered No. 4256 dated 15th March 93
appealing against the order of the Deputy Commissioner
of Tumkur, removing him from the office of Patil of
Mallasandra.

Petitioner is ~~informed that~~, referred to the Deputy Commissioner
who has been requested to restore ~~Petitioner~~ him to office

2. The enclosures are herewith returned.

"By Order"

Redraft

1/11/93
for Chief Secretary.

S.V.

Mysore Govt. Central Press, Bangalore.—9-2-93—2000.